POLICE
NORFOLK & SUFFOLK
working together for you

Travis John TREBOTICH

Important Document

Notice of Criminal Charge

Date/time notice sent:

This notice is for

Name: Travis John TREBOTICH

Date of birth:

Address:

You must come to court

At 09:30 on 22/11/2019

Address:
Ipswich Magistrates' Court
Elm Street
Ipswich
Suffolk
IP1 2AP

Important Document

Notice of Criminal Charge

Your case reference number is 37/CJ/16405/19

Always give this case reference number if you contact the court or the prosecutor.

Why have you been sent this notice?

You have been sent this notice because you are charged with:

No	Offence	Wording
1	Use threatening / abusive words / behaviour or disorderly behaviour likely to cause harassment, alarm or distress	On 11/04/2019 at Bury St Edmunds in the county of Suffolk used threatening or abusive words or behaviour or disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby Contrary to section 5(1) and (6) of the Public Order Act 1986.

If you do not understand the charges, get legal advice.

Suffolk Magistrates' Court (2870)
sitting at Ipswich Court House
The Magistrates Court, Elm Street, Ipswich, Suffolk, IP1 2AP
Telephone: 01473 217261 DX: 3232 Ipswich
E-Mail: SuffolkMC@hmcts.gsi.gov.uk

Mr Travis John TREBOTICH
[redacted]

Case numb[redacted]
Born: [redacted]

Notice of new date of hearing

New date, time and place
The court has adjourned the cases listed below:

to **8 January 2020** at **12 noon** at **Ipswich Court House, Elm Street, Ipswich, Suffolk, IP1 2AP** (telephone **01473 217261**).

You **must** attend the court **30 minutes** before the time shown above. A listing time is not a guaranteed hearing time. You may be required to wait.

Reasons
The matter has been adjourned because:

1. For the trial to take place. If you do not attend the trial may proceed in your absence.

If you do not follow these instructions or you fail to attend the hearing, the court can still decide to deal with your case in your absence.

If you require the assistance of an interpreter at the next hearing you must inform the court promptly on receipt of this notice.

[redacted]

Date: 27 November 2019 ***Justices' Clerk***

[redacted]

Cases

On 11/04/2019 at Bury St Edmunds in the county of Suffolk used threatening or abusive words or behaviour or disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby
Contrary to section 5(1) and (6) of the Public Order Act 1986.

CPS

27th November 2019

37CJ1640519

NOTICE TO DEFENDANT: PROOF BY WRITTEN STATEMENT
(Criminal Procedure Rules, r. 27.4(s); Criminal Justice Act, 1967, s9)

Defendant Travis John TREBOTICH
Court and Hearing Date: Ipswich Magistrates Court 8th January 2020 at 10am

With this notice are copy statement(s) made by the witness(es) listed below.

The prosecutor wants to introduce this evidence in writing, instead of the witness(es) giving the evidence in person.

How to reply to this notice:

If you do NOT want the prosecutor to introduce the evidence of these witnesses in writing, you must:

1. List the witness(es) you want to give evidence in person.
2. Send me the list not more than 7 days after this notice is served on you (as required by section 9(2)(d) of the Criminal Justice Act 1967).
3. Be prepared to explain to the court what issue(s) in the case make(s) it necessary for the witness(es) to give evidence in person (as required by Criminal Procedure Rules 3.2, 3.5 and 3.10).

(Signed) ....
(On behalf of the Prosecutor)

Notes:

1. If you are late letting the prosecutor know which witnesses you want to give evidence in person, then the prosecutor can introduce the evidence in writing, unless the court otherwise directs.

Crown Prosecution Service
East of England Area

Carmelite House
St James' Court
Whitefriars
Norwich
NR3 1SL

Dx 744600 Ipswich 31

Telephone: 01473 282100

EastofEngland.inbox@cps.gsi.gov.uk

2. If, at your request, a witness attends court to give evidence in person when that is not necessary to deal with the issues in the case, the court may make a costs order against you.

3. Despite service of this notice:

(a) the prosecutor may arrange for any of the listed witness(es) to give evidence in person: or

(b) the prosecutor may decide not to rely on one or more of the listed witness(es) after all.

Ref: 37CJ1640519

LIST OF WITNESSES WHOSE STATEMENTS ARE WITH THIS NOTICE

Please indicate which of these witnesses you want to give evidence in person; and what issue(s) in the case make(s) that necessary. If you do not want any of these witnesses to give evidence in person, please tell the prosecutor.

No	Statement(s)	Date Statement(s)	Page number(s)
1	[redacted]	12.04.19	1-3
2	[redacted]	23.04.19	4-6

Additional documents		
MG4d + CS	Postal requisition and Certificate of service	Attached
MG5	Summary of facts	Attached
PNC	Previous convictions	Attached

CROWN PROSECUTION SERVICE

Regina
v
Travis John TREBOTICH

S9 Witness Statements

STATEMENT/EVIDENCE LIST

URN: 37CJ1640519

Regina
v
Travis John TREBOTICH

No	Statement(s), deposition(s) and document(s) (other than exhibits)	Statement Date	Page
1	[redacted]	12/04/2019	1-3
2	[redacted]	23/04/2019	4-6

2 individual witnesses have been identified from the list above.

MG11

RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Click here for guidance

URN:				

Statement of [redacted] C 439

Age : O 18 (*if over 18 insert 'over 18'*) Occupation: Police Officer

This statement (consisting of 3 pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [redacted] Date *(dd/mm/yyyy)*: 12/04/2019

(This statement is digitally signed)

I am PC 439 [redacted] f Suffolk Constabulary currently based in BURY ST EDMUNDS police station where I am assigned to Neighbourhood response team 1. On Thursday 11th April 2019 I was on duty in Bury St Edmunds. My tour of duty commenced at 07.00 and was due to end at 17.00. For the duration of my duty I was under callsign HE21.

At approximately 09.40 I received a call from the force control room stating that a male was playing loud music out of a large speaker in the town centre and that a member of the public had called in and said that they felt that the music was "offensive and scary". Therefore I attended the town centre with my colleague PC 64 APPLE[illegible]nd located the male in the main bus station on St Andrews Street North, Bury St Edmunds. As I approached the male, who I now know to be Travis TREBITOCH, I could hear the music from the speaker attached to the back of his bike. It sounded like a hip-hop style song and it was speaking about freedom of people. We initially asked Travis to turn the music off and to provide his name to us but he refused his details and became very argumentative. I TURNED THE MUSI DOWN AND SAID I DONT HAVE TO DISCLOSE MY DETAI WHICH LED YO TO PHYSICALL OBSTRUCTME

Initally we tried to reason with him and explain to him why someone may find the music he was playing offensive. The male was very obstructive to officers and refused to listen and kept speaking over me when I tried to explain to him what offence he was committing.

He then started turning the music up to make it more difficult to speak to him.

At 10.00am I arrested him on suspicion of a sec.5 public order offence and I did this by saying "YOU ARE UNDER ARREST ON SUSPICION OF A SECTION 5 PUBLIC ORDER OFFENCE" and I then cautioned him to which he made no significant reply. The necessity for arrest was to gain details of the male as at this point he had refused to provide details to officers. TREBITOCH then informed me of his name and I was able to gain information regarding him.

At 10.15am I de-arrested TREBITOCH as I no longer had the necessity for arrest and I could put the investigation together without the need to take the male to custody. At 10.16am I reported him for the consideration of the offence of S.5 public order and he was then cautioned him with the 'now' caution to which he made no significant reply.

At 10.18am a large black speaker and digital camera were seized under s.19 of PACE in order to review the audio that the male had been playing in public.

These items were subsequently booked into property on my return and I exhibit them as follows:

AW/1 - Large black speaker (Seal no: R01402625, ref: SC190010628)
AW/2 - Black Sony Camera (Seal no: N09342069. ref: SC190010629)

Audio was reviewed and held multiple songs by unknown artists that discussed political and religious topics. One of the songs spoke about crack whores in a sex pit and one song in particular opened with a statement about the "dictionary definition of terrorism" and goes on to explain government ideals and "they're calling me a terrorist, like they don't know who the terror is", "It seems like the rag-heads and pakis worrying your dad" and "Remote controlled drones killing off human lives or man with home made bomb committing suicide".

One of the recordings held on the media player is a speech that spoke about muslims oppressing christians.

This incident was captured on my Bodyworn video and uploaded to the digital evidence management system and titled "Sec.5 Public Order - 37/20319/19". I exhibit this as AW/3.

CCTV of this incident was gained from Town Centre CCTV and I exhibit this as AW/4.

I make this statement as true and to the best of my knowledge.

Signed: [redacted]

MG11 - telephone

RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN:

Statement of: [redacted]

Age : O 18 (*if over 18 insert 'over 18'*) [redacted]

This statement (consisting of 3 pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signed: (by statement give[redacted]ate (dd/mm/yyyy): 23/04/2019 [redacted]

To be read to/ by the statement giver

This statement is going to be recorded by me as I speak to you over the telephone. When I have finished writing it down, I will read the statement back to you. It is important that you are completely happy with what has been recorded, and I shall delete anything you are not happy with, or add anything that you think is missing or not clear. If I am not clear at any stage about what you are saying, I shall ask you to explain what you mean. If you go too fast for me to write accurately what you are saying, I shall ask you to slow down. Do you understand so far?

It is important that you tell me only what you yourself have seen and can give evidence about. I will be sending you the statement to sign with full instructions on how to do this. You will be required to sign a declaration at the top of the statement to the effect that the statement is true to the best of your knowledge and belief, and that you have made the statement knowing that if it is used in evidence (for example a copy is given to the defence or it is read to the Court as if you were there), you would be liable to be prosecuted for a criminal offence if you have included anything in it which you know is false or do not believe to be true. Do you understand this and are you still quite happy to give me a statement?

Continuation of Statement:

I am the above named person and I wish to make a statement in relation to an incident that occurred at 09.30am on Thursday 11th April around Bury St Edmunds Town centre but mostly opposite poundland on the Cornhill. This incident involved a male that I do not know playing very loud music which I percieved to be threatening and causing distress to myself and other people in the area.

At approximately 09.30am I was sat on one of the benches outside poundland waiting to go to work when I heard some music that was getting louder and louder. I orginally thought it was from a car passing by but I then realised as it was getting closer that it was a male pushing a bike with a large 'boom box' speaker attached to it. As the male got closer to me the music was becoming extremely loud.

I would describe this male as aged somewhere in his 20's/ He had scruffy brown hair, with a blue backpack, dark navy top, dark navy combat trousers and a pedal bike with thin tires and a boom box and bags attached to the back. I believe he was homeless as he had a lot of items strapped to the back of his bike which seemed like a lot of bags and the speaker he was playing music out of. I noticed the bags had quite colourful pockets but I can't describe those any further.

At one point the male was walking directly towards me and looking at me but then walked past and continued walking around this particular area of the town centre. He walked down one of the main footpaths in the town past superdrug, down towards mcdonalds and back round again. All the while he was playing this music at an extremely loud level.

WHO WAS LOOK DIRECTLY AT WHO HER

I watched him for most of this time and it seemed like he was looking for a persons reaction or to see if people were taking note of what his music was playing. I thought this because he was looking left to right as if he was looking for someone to notice him and to pay him attention to what he was doing or for someone to take note of what the music he was playing was saying.

SO FAR MY ONLY ACTIONS ARE WALKING + PLAYIN LOUD MUSIC

I felt uneasy with how he was behaving due to his demeanour and the way he was acting as well as the music he was playing. His behaviour seemed purely focused on the music he was playing and the message it was giving out to people.The music made me feel threatened due to the content of its lyrics and it appeared that other people were feeling alarmed or distressed due to its contents as well. I think this because I heard several people commenting on it and saying how something wasn't right and that they were feeling uneasy.

I would describe the music this male was playing as in the genre of "gangster rap" because it contained explicit lyrics and it would be the type of music that would have an age restriction

COUPLE OF SWEA WORDS AT MOST SEE LYRICS FOR YOURSELF

Signed: (by statement giver) ......[redacted]...... Date: 23/4/19

2015/10

on it. The lyrics contained phrases such as talking about someone who was "hold your gun in your hand" , I heard the use of the word "nigger" multiple times, as well as "the black people" and how they were going to shoot you and talking about the state of the country.I remember the music stating that "you've got to hold a knife in your pocket" and the impression I got from him was that he believed you had to be armed at all times. It was lyrics like this that caused me to feel alarm and distress. I was in fear that he had something on his bike that he was going use to cause distress or to attack someone.

Amongst the music he was playing there was also recordings of speech/Spoken word that he was playing that contained topics that I would percieve as racist and these included messages about nazis, gangsters, the KKK, shooting people and the word "nigger" was used so frequently I would describe it as every other word.

The music he was playing made me feel like it was saying that you have to be ready for an attack and it sounded like the message was favouring certain types of people and stating that the ones that don't belong should be kicked out.

I then called the police to inform them of this male because of how everyone in the area was reacting to him. I spoke to another lady who also agreed that the police should be called.

By the time I left the area, The male was sat by poundland on one of the benches under neath a tree and it looked like everybody in the local area had moved at least 50 feet away from him and didn't want to look at him. It appeared that everyone in the area was alarmed by what he was playing and I heard several people commenting on his behaviour and the message the music he was playing I percieved to be quite offensive.

I then left the area as I had to start work.

I make this statement as true and to the best of my knowledge. I fully support police action and would be willing to attend court if necessary.

Signed: (by statement giver) ...[redacted] Date: 23/4/19

Travis John TREBOTICH

Important Document

Notice of Criminal Charge

Date/time notice sent	

This notice is for

Name	Travis John TREBOTICH	Date of birth	
Address			

You must come to court

At	09:30	on	22/11/2019

Address	Ipswich Magistrates' Court Elm Street Ipswich Suffolk IP1 2AP

National Form MG4D

Important Document

Notice of Criminal Charge

Police Bail

~~BAIL~~

If the police arrested you and then released you on bail to go back to the police station, this notice means that you do not have to go. **You must come to court instead.**

How to contact the prosecutor

CPS

Prosecutor contact details	Criminal Justice Unit, Landmark House, 4 Egerton Road, Ipswich Suffolk IP1 5PF. Email: Eastofengland.inbox@cps.gov.uk

Always give the **case reference number** which is on the front of this notice.

How to contact the court

Contact the court through the court office. The court office may not be at the same address as the court.

Court contact details	Ipswich Magistrates Court, Elm Street, Ipswich, Suffolk IP12AP - Tel: 01473 217261. Email: suffolkcmt@justice.gov.uk

Always give the **case reference number** which is on the front of this notice.

Important Document

Notice of Criminal Charge

Who issued this notice?

Name of issuer	Chief Constable, Norfolk & Suffolk Constabularies
Date of issue	27/09/2019

This notice is a 'written charge and requisition'. It has been issued under sections 29 and 30 of the Criminal Justice Act 2003 and rules 7.3 and 7.4 of the Criminal Procedure Rules.

Reduced punishment for guilty plea

If you plead **guilty** the witnesses will not give evidence because you have admitted the charge. The punishment the court gives you and any order for you to pay costs may be reduced. The earlier you tell the court you are going to plead guilty the more the punishment is likely to be reduced.

If you plead **not guilty** there will be a trial to decide the case. If the court finds you guilty then it will decide how to punish you.

This is for your information. It is not meant to tell you to plead guilty if you are not guilty of the charge. Take legal advice.

Information about your finances

If you plead guilty or the court finds you guilty then the court may decide to fine you or order you to make some other payment. You may be ordered to pay a fine straight away.

Before the court decides what you must pay it will want information from you about your finances.

Data Protection Act 2018

The prosecutor has given the court information about you. The information will be shared and kept only as the law requires or allows. Criminal cases are heard in public.

Notice of Criminal Charge

Help and support

- Law Society – 020 7320 5650 – www.solicitors.lawsociety.org.uk.
- Citizens Advice – 03444 111 444 – www.citizensadvice.org.uk
- Alcoholics Anonymous – 0800 9177 650 – www.alcoholics-anonymous.org.uk
- Samaritans – 116 123 – www.samaritans.org
- MIND (mental health advice) – 0300 123 3393 – www.mind.org.uk
- National Debtline – 0808 808 4000 – www.nationaldebtline.org
- Shelter Housing – 0808 800 4444 – https://england.shelter.org.uk
- SSFA (the Armed Forces charity) – 0800 731 4880 – www.ssafa.org.uk
- Women's Aid – 0808 2000 247 – www.womensaid.org.uk

Important Document

Notice of Criminal Charge

CERTIFICATE OF SERVICE
Rule 4 of the Criminal Procedure Rules 2015
I hereby certify that I printed the document(s) for 37/CJ/16405/19
This is being delivered by first class post.

These were addressed to the defendant at an address at which the issuing authority reasonably believes that the defendant will receive the document(s).

Date & time of service: 02/10/2019 15:00
Served by: Emma Robertson, GAP Team, Ipswich CJU

Case referenc[redacted]9
Date - 29/07/2019 09:17

POLICE REPORT

Defendant(s) name: **Travis John TREBOTICH**
Anticipated Plea: GUILTY ANTICIPATED PLEA

1. **Summary of the Key Evidence -** 'Key evidence' establishes every element of the offence and that the defendant committed the offence with the necessary criminal intent.
   - Set out the facts in chronological order, telling the story and covering the 'points to prove'
   - The summary must be balanced and fair
   - Record address and contact details of civilian witnesses on MG9 (and *all dates to avoid on MG10*)

Key Evidence

This case related to one offence of causing harrassment, alarm and distress contrary to SECTION FIVE of THE PUBLIC ORDER ACT 1986, which occurred on THURSDAY 11TH APRIL 2019 in BUEY ST EDMUNDS TOWN CENTRE.

Witness[redacted] will state that at approximately 09:30 she was sat o a bench near PONDLAND when she heard mus[redacted]getting louder and louder. She will state that she saw a male puching a bike with a large speaker attatched to it and that as the male got closer the music became extremly loud. She will provided a desrption that matches that of the suspect at the time of the alleged incident and will describe the bike that he was pushing. She will state that the suspect proceded to walk around in the area and he seemed to be to see if people were paying any attention what he was doing. She will satte that the suspects behaviour and the music that he was playing made her feel uneasy and that the music appered to be causing other alarm and distress to to its content. She goes on to descibr the music being played as "GANGSTER RAP" and that the lyrics contained phrases such as "HOLD YOUR GUN IN YOUR HAND" and "YOU HAVE GOT TO HOLD A KNIFE IN YOUR POCKET" She will also state that the she heard the word "NIGGER" multiple times and how the black people were going to shoot you. She will satet that these lyrics caused her alarm and distress. She will state amonsgst the music there were recording that sontained topics that she percieved to be racist and included messages about Nazis, the KKK and shooting people. She will satte that the word "NIGGER" was used so often that it was used every other word.

She will state that due to the reaction that the suspect was getting from everyone in the area, she called the police and informed them about the incident.

PC 439[redacted] will state that at approximately 09:40 on THURSDAY 11TH APRIL 2019 she was made aware o[redacted] male playing loud, offensive and scary music from a large speaker in BURY ST EDMUNDS TOWN CENTRE. She will state that the suspect was subsequently located at BURY ST EDMUNDS BUS STATION where he the suspect refused to provide his details or turn the music off. She will state that although officer made attempts to reason with the suspect and explain how people may take offence to the music he was playing, he responded by turning up his music up making it more dificult to speak with him. She will satte that at 10:00 she arrested the suspect on SUSPICION OF A SECTION 5 PUBLIC ORDER OFFENCE and that the suspect made no significant reply to caution. She will satte that the arrest was necessary due to the fact that the suspect had refused to provide his details, but that after being arrested the suspect provided his name, was de arrested and reported for the consideration of a SECTION 5 PUBLIC ORDER OFFENCE. She will state that she swized the speaker that the suspect had been playing music on (AW/1) and a SONY CAMERA (AW/2) under S.19 of pace.

TRUE
FALS
THIS IS EXTREM[...] RASCIS[...] AS NOT TRUE
VIOLATIO[...] OF RIGH[...]

She will detail reviewing the audio from the speaker and give examples of the content on the speaker which included songs about crack whore in a sex pit and terrorism. She will detail lyries from songs such as "IT SEEMD LIKE THE RAG-HEADS AND PAKIS WORRYING YOUR DAD". She states that there is also an audio recording of a speech that speaks about muslims oppressing christians. She will also produce exhibits AW/3 and AW/4.

- These are people who have witnessed the offence, they may have heard it
- They may also have heard what a suspect said at the time of offence
- A key witness could be someone who is linked to the victim
- They may have other important information, such a knowledge of events leading up to a crime
- Even in a guilty case, always consider if their evidence could assist in securing a conviction

Witness(es) and their role (e.g. eye witness, person providing identity):

These are people who have witnessed or say they have witnessed the offence. If they didn't see it, they may have heard it. They may have also heard what a suspect said at the time of the offence. Additionally, a key witness could be someone who is linked to the victim. They could also be someone who would be central in assisting with the investigation, they may have other important information, for example, knowledge of events leading up to a crime. Where such a witness exists, even in a guilty plea case, always consider if their evidence could assist in securing a conviction.

Surname / Police Witness	Forenames	Key Witness Status	What was the Role of the witness
[redacted]	[redacted]	YES	Witness was present in town centre when suspect was playing music and called police
PC 37 439 [redacted]		YES	Witness is arresting/reporting officer Live Link Location - BURY ST EDMUNDS PIC

2. Defendant Interview

- Set out the explanation given by defendant as to how/why offence happened: include any mitigation/remorse put forward.
- Note any **Special Warnings** given.
- State if no comment made.
- Attach copy of CCTV if shown in the interview (to file).

Defendant: **Travis John TREBOTICH**

The suspect was not interviewed in relation to this case as officers had witnessed him commiting the offence. He was reported at the scene.

3. Non Key Evidence (See above table in section 1 for information)

4. Visually Recorded Evidence – CCTV, photos, mobile phone(s). Attach a copy (*identify playback format*). Custody suite CCTV should be included as unused material unless 'key evidence'.

Is there VRE? **Yes**

If 'Yes', does it provide 'key evidence? **Yes**

Give details of what it shows (whether 'key' or not) and include tape counter reference times for relevant key sections (*i.e. defendant punching victim/kicking window*):

Exhibit AW/3 is body worn video of interactions with the suspect from PC 439[redacted]he footage will show the suspect being spoken to by police, during which time he continues to play loud music. It will show him consistently refusing to provide his details when requested and having being informed that he was required to as he was the suspect in a public order investigation. It will show the suspect then turning the music up to the maximum volume that the speaker was capable of before trying to walk away from police. It will show [redacted]t refusing to turn the music down and continuing to be obstructive necessitating PC 64[redacted] turn the speaker down. It will show the suspect being arrested for a SECTION FIVE PUBLIC ORDER OFFENCE before being subsequently de arrested and reported for the offence.

Exhibit AW/04 is CCTV from local authority CCTV cameras. It will show the suspect in the area of the BUTTERMARKET, BURY ST EDMUNDS with his bike and speaker. It shows him walking around the area as members of the public walk past and look towards his direction. It shows the suspect sitting down on a bench outside SPORTS DIRECT and smoking a cigarette, where an elderly lady confronting the suspect before getting her phone out of her pocket and walking away. It shows parents with young children walking past and again looking towards the suspect as if he were doing something that warranted their attention. It then shows the suspect standing up and started to walk towards ST JOHNS STREET, where he is confronted by another elderly lady who points towards the speaker on the front of his bike. A short distance along ST JOHNS STREET the suspect is once again approached by a member of the who appears to have a heated discussion with him and points at his speaker. The suspect then continues to walk along ST JOHNS STREET while members if the public continue to look in his direction as they pass. It then shows the suspect going off shot on ST JOHNS STREET.

PLAYING MUSIC WHY TRY AND SUGGEST OTHERWISE

5. **Injuries –** a medical statement is NOT required unless needed to interpret x-rays or describe injuries not visible to the naked eye. Victim(s)/eye witness/police officer should describe any visible injuries, photos should be taken and attached (if not taken. attached, state why).
Description of injuries: N/A

6. **Forensic Evidence** – fingerprints, drugs evidence (weight, number of wraps, etc.). Include details such as street value and purity as this is essential for sentencing information. State if drugs field tested and by whom. State timescales for a full forensic statement (if required).
N/A

7. **DIP testing** – attach DT2 for prosecutor.
Travis John TREBOTICH
Tested: No
Trigger Offence: N/A
Pos/Neg Result: N/A
Drug: N/A

8. **Application for Order(s) on Conviction** – consider applying for an order on conviction, e.g. compensation, forfeiture/destruction (see order list).
Travis John TREBOTICH
Orders Applied for: Depravation Of Property

I WAS TOLD I WOULD GET PROPERTY BACK!

Consideration to be given for the deprivation and destruction of the speaker used during this incident as it is likely that it will be used again in incidents of a similar nature
Conditions - N/A

9. Application for Compensation – state if an estimate. Attach quotes/receipts if available. An address for compensation **must** be provided on MG6. (*If more than one victim/defendant, list one after the other and give details in the description box).*
N/A
Has an MG19 been sent to victim?: No

10. MG18

(TICs)?	**No**
Pre-cons /cautions attached?	**Yes**
MG6?	**Yes**

11. Defence Solicitors Details
Name of Solicitor:
Company:
Address:

12. Officer's certification: I certify that to the best of my knowledge and belief, I have not withheld any material that might reasonably be expected to undermine the prosecution or might reasonably assist the defence in early preparation of their case, including the making of a bail application. I further certify that relevant material has been recorded and retained in accordance with the CPIA 1996, Code of Practice, as amended.

Name & rank/job title: PC 37 64 [redacted]

13. Supervisor's certification: The information in parts 1 – 9 is an accurate summary of the available evidence and complies with the DPP's guidance for a Streamlined Process. The file has been built to the required standard.

Name & rank/job title: PS 352 [redacted]

YOU MUST ALWAYS COMPLETE CONDITIONAL CAUTIONING SECTION BELOW.

Defendant **Travis John TREBOTICH**
Not suitable for conditional caution because Offender'S Response To Arrest/Co-Operation

Condition	N/A
Compliance requirements including completion/progress check dates	N/A
Supporting evidence	N/A

^ CANT DO THAT
STATED IT WOULD BE RETURNED
CONTAINS IRREPLACABLE INTELECTUAL DATA
(MY OWN MUSIC PRODUCTION FILES)

23/10/19 14:32

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DATA PROTECTION LEGISLATION
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SURNAME : TREBOTICH
FORENAME(S) : TRAVIS JOHN
BORN : 18/12/91 BURY ST EDMUNDS
ADDRESS : 1 BANKS WALK BURY ST. EDMUNDS
SUFFOLK
IP33 2PA

CRO NUMBER : 163261/07C PNCID : 07/641003Y

ALIAS NAMES (3)

1 TAG,
2 TREBOTICH, TRAVIS
3 TREBOTITCH, TRAVIS JOHN

SUMMARY OF CONVICTIONS, REPRIMANDS/WARNINGS/CAUTIONS AND NORTHERN IRELAND NON-COURT DISPOSALS (NI NCD)

CONVICTION(S) : 5 OFFENCE(S) : 9

DATE FIRST CONVICTED : 24/09/08 DATE LAST CONVICTED : 12/06/18

2 OFFENCES AGAINST PROPERTY	(2008-2013)
1 THEFT AND KINDRED OFFENCES	(2018)
1 PUBLIC DISORDER OFFENCES	(2017)
2 OFFENCES RELATING TO POLICE/COURTS/PRISONS	(2017-2018)
1 DRUG OFFENCES	(2018)
2 MISCELLANEOUS OFFENCES	(2013-2017)

REPRIMAND/WARNING/CAUTION(S) : 1 OFFENCE(S) : 15

DATE FIRST REPRIMANDED/WARNED/CAUTIONED : 12/11/07

DATE LAST REPRIMANDED/WARNED/CAUTIONED : 12/11/07

15 OFFENCES AGAINST PROPERTY	(2007)

NO NORTHERN IRELAND NON-COURT DISPOSALS (NI NCD)

END OF SUMMARY OF CONVICTIONS, REPRIMANDS/WARNINGS/CAUTIONS AND NI NCD

CONVICTION(S)

1. 24/09/08 WEST SUFFOLK PSA JUVENILE

	Offence	Disposal
1.	DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY) ON 02/05/08 - 03/05/08 (PLEA:GUILTY) CRIMINAL DAMAGE ACT 1971 s.1(1)	ABSOLUTE DISCHARGE COMPENSATION 30.00 COSTS 20.00

---

2. 06/08/13 NORTH EAST SUFFOLK MAGISTRATES

	Offence	Disposal
1.	DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY) ON 22/07/13 (PLEA:GUILTY) CRIMINAL DAMAGE ACT 1971 s.1(1)	COMPENSATION 50.00
2.	BEING DRUNK AND DISORDERLY ON 22/07/13 (PLEA:GUILTY) CRIMINAL JUSTICE ACT 1967 s.91(1)	FINE 35.00 COSTS 35.00 VICTIM SURCHARGE 20.00

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3. 31/07/17 SUFFOLK MAGISTRATES

	Offence	Disposal
1.	BEING DRUNK AND DISORDERLY ON 10/07/17 (PLEA:GUILTY) CRIMINAL JUSTICE ACT 1967 s.91(1)	CONDITIONAL DISCHARGE 12 MTHS VICTIM SURCHARGE 20.00

---

4. 25/09/17 SUFFOLK MAGISTRATES

	Offence	Disposal
1.	FAIL TO DISPERSE HAVING BEEN DIRECTED TO DO SO ON 08/09/17 (PLEA:GUILTY) ANTI-SOCIAL BEHAVIOUR ACT 2003 s.32(2)	CONDITIONAL DISCHARGE 12 MTHS COSTS 30.00 VICTIM SURCHARGE 20.00
2.	BREACH OF CONDITIONAL DISCHARGE POWERS OF CRIMINAL COURTS (SENTENCING) ACT 2000 s.13	RESULTING FROM ORIGINAL CONVICTION OF 31/07/17 FINE 40.00

---

5. 12/06/18 SUFFOLK MAGISTRATES

	Offence	Disposal
1.	THEFT - SHOPLIFTING ON 02/02/18 (PLEA:GUILTY) THEFT ACT 1968 s.1	FINE 80.00 COSTS 40.00 VICTIM SURCHARGE 30.00
2.	POSSESSING CONTROLLED DRUG - CLASS B - AMPHETAMINE ON 02/02/18 (PLEA:GUILTY) MISUSE OF DRUGS ACT 1971 s.5(2)	FINE 80.00 FORFEITURE AND DESTRUCTION

CONTINUED ON NEXT PAGE

IVE ALWAYS PLEAD GUILTY WHEN IM IN THE WRONG SO PLEASE ACKNOWLEDGE THE

12/06/18 SUFFOLK MAGISTRATES (CONT.)

3.	BREACH OF CONDITIONAL DISCHARGE POWERS OF CRIMINAL COURTS (SENTENCING) ACT 2000 s.13	RESULTING FROM ORIGINAL CONVICTION OF 25/09/17 NO ACTION ON BREACH

END OF CONVICTION REPORTS

REPRIMAND/WARNING/CAUTION(S)

1 WARNING REF: 37BU/07/2904
12/11/07 SUFFOLK CONSTABULARY

1 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 07/08/07 - 08/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

2 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 01/08/07 - 19/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

3 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 01/08/07 - 31/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

4 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 07/09/07 - 08/09/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

5 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 28/08/07 - 29/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

6 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 10/09/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

7 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 29/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

8 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 19/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

9 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 14/08/07 - 15/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

10 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 17/08/07 - 20/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

11 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 18/08/07 - 19/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

12 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 12/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

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REPRIMAND/WARNING/CAUTION(S) (CONT)

13 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 11/08/07 - 12/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

14 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 09/08/07 - 10/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

15 DESTROY OR DAMAGE PROPERTY (VALUE OF DAMAGE #5000 OR LESS - OFFENCE AGAINST CRIMINAL DAMAGE ACT 1971 ONLY)
ON 19/08/07
CRIMINAL DAMAGE ACT 1971 s.1(1)

END OF REPRIMAND/WARNING/CAUTION(S)

REMAND / BAIL DETAILS

ARREST/SUMMONS REF : 19/0000/00/840232Z
02/10/19 SUFFOLK CONSTABULARY
REMANDED POSTAL
NEXT APPEARING ON 22/11/19 AT SUFFOLK MAGISTRATES

END OF REMAND DETAILS

LAST PERIOD IN CUSTODY

LAST PERIOD IN CUSTODY NOT RECORDED

END OF CUSTODY DETAILS

END OF PNC RECORD PRINT

ahau ki te hohou i te rongo me te kaupare atu i ngā mahi kōkuru i te rongo, ā, i roto i ōku tino pūkenga me ōku mōhio, ka whakatutuki i ngā mahi kua whakaritea hei mahi mā te pirihimana e ai ki te ture. Nō reira, āwhina mai i ahau e te Atua."

United Kingdom of Great Britain and Northern Ireland

In British legislation, an oath taken by a constable in England and Wales or in Northern Ireland is described as an "Attestation" and annotated as such in a relevant Act. In Scotland a constable is required to make a "declaration".

The position and title of Constable has important and historical legal status. Police Constables are servants of the Crown (Sovereign) and are strictly independent of Her Majesty's Government. Whilst performing their role they are considered in law to be special legal entities who are responsible for their actions when carrying out police duties. They are not employees of police forces and cannot take industrial action (see Police Act 1919). It would be unlawful, for example, for any member of government (such as the Prime Minister or Home Secretary) to attempt to control, coerce, direct, or command Constables of any rank.

England and Wales

Territorial police constables

The 43 territorial police forces in England and Wales are responsible for general policing. Members of the police Service are attested under section 29 of the Police Act 1996.[1] This oath is also taken by members of the British Transport Police and the Ministry of Defence Police. The prescribed form of words is that given by schedule 4 to the Act (inserted by section 83 of the Police Reform Act 2002[2]), as follows:

English

> I, ... of ... do solemnly and sincerely declare and affirm that I will well and truly serve the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people; and that I will, to the best of my power, cause the peace to be kept and preserved and prevent all offences against people and property; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law.

Welsh

> *Rwyf i ...o :...yn datgan ac yn cadarnhau yn ddifrifol ac yn ddiffuant y byddaf yn gwasanaethu'r Frenhines yn dda ac yn gywir yn fy swydd o heddwas (heddferch), yn deg, yn onest, yn ddiwyd ac yn ddiduedd, gan gynnal hawliau dynol sylfaenol a chan roddi'r un parch i bob person; ac y byddaf i, hyd eithaf fy ngallu, yn achosi i'r heddwch gael ei gadw a'i ddiogelu ac yn atal pob trosedd yn erbyn pobl ac eiddo; a thra byddaf yn parhau i ddal y swydd ddywededig y byddaf i, hyd eithaf fy sgil a'm gwybodaeth, yn cyflawni'r holl ddyletswyddau sy'n gysylltiedig â hi yn ffyddlon yn unol â'r gyfraith.*

Park constables

Constables obtaining their powers from the Parks Regulation Act 1872 are required to be "attested" as a constable by making a declaration before a justice of the peace that he will duly execute the office of constable" with no specific words prescribed in the Act. The only constables still attested under this Act are

B

7.10 When an officer involved in the investigation has reasonable grounds to believe a person with a relevant interest in property seized under section 50 or 51 intends to make an application under section 59 for the return of any legally privileged, special procedure or excluded material, the officer in charge of the investigation should be informed as soon as practicable and the material seized should be kept secure in accordance with section 61. (See *Note 7C*.)

7.11 The officer in charge of the investigation is responsible for making sure property is properly secured. Securing involves making sure the property is not examined, copied, imaged or put to any other use except at the request, or with the consent, of the applicant or in accordance with the directions of the appropriate judicial authority. Any request, consent or directions must be recorded in writing and signed by both the initiator and the officer in charge of the investigation. (See *Notes 7F* and *7G*.)

7.12 When an officer exercises a power of seizure conferred by sections 50 or 51 they shall provide the occupier of the premises or the person from whom the property is being seized with a written notice:

(i) specifying what has been seized under the powers conferred by that section;

(ii) specifying the grounds for those powers;

(iii) setting out the effect of sections 59 to 61 covering the grounds for a person with a relevant interest in seized property to apply to a judicial authority for its return and the duty of officers to secure property in certain circumstances when an application is made, and

(iv) specifying the name and address of the person to whom:

- notice of an application to the appropriate judicial authority in respect of any of the seized property must be given;
- an application may be made to allow attendance at the initial examination of the property.

7.13 If the occupier is not present but there is someone in charge of the premises, the notice shall be given to them. If no suitable person is available, so the notice will easily be found it should either be:

- left in a prominent place on the premises, or
- attached to the exterior of the premises.

(c) Retention

7.14 Subject to *paragraph 7.15*, anything seized in accordance with the above provisions may be retained only for as long as is necessary. It may be retained, among other purposes:

(i) for use as evidence at a trial for an offence;

(ii) to facilitate the use in any investigation or proceedings of anything to which it is inextricably linked (see *Note 7H*);

(iii) for forensic examination or other investigation in connection with an offence;

(iv) in order to establish its lawful owner when there are reasonable grounds for believing it has been stolen or obtained by the commission of an offence.

7.15 Property shall not be retained under *paragraph 7.14(i), (ii)* or *(iii)* if a copy or image would be sufficient.

UK Support for Human Rights Defenders

Introduction

The UK supports the right of Human Rights Defenders to carry out their activities, and continue with their professions (for example lawyers, journalists) and voice their opinions. Without this, Human Rights Defenders are unable to defend human rights effectively and peacefully. Human Rights Defenders play an essential role in promoting and protecting democracy, respect for human rights and the rule of law.

UK policy is guided by the "UN Declaration of the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms" (commonly known as the "*UN Declaration on Human Rights Defenders*"), as well as international principles specific to certain issues (UN Guiding Principles on Business and Human Rights, and those specific to certain Human Rights Defenders, such as the UN Basic Principles on the Role of Lawyers. This non-legally binding Declaration reaffirms the rights of Human Rights Defenders and sets out the particular responsibility of states to protect Human Rights Defenders, including from attacks by non-state actors.

Human Rights Defenders are important to the UK because:

- Human Rights Defenders are on the frontline, defending the fundamental rights that are an essential part of the UK's foreign policy.
- They document and report human rights violations and are often the only ones who speak up for vulnerable and marginalised groups, bringing public attention to abuses and violations of human rights.
- They play a key role in advocating for gender equality.
- They act as agents of change by calling attention to human rights violations and abuses, and identifying issues that prevent or obstruct positive change. This helps to hold governments to account for their actions.

Naranjargal Khashkhuu, a Human Rights Defender in Mongolia

- Human Rights Defenders contribute to long-term reform and progress, helping bring about more stable, free, democratic, inclusive and prosperous societies. They support peace building and improve access to justice.
- They can contribute to the protection of the land and the environment, and thereby to people's livelihoods, protecting biodiversity and tackling climate change.
- They play a role in ensuring responsible action by the private sector on human rights which is good for business and communities.
- Promotion of human rights is a core part of UK foreign policy and DFID's aid and development strategy and forms the basis of the Agenda 2030 Sustainable Development Goals.

Who are Human Rights Defenders?

Human Rights Defenders are defined by the UN Office of the High Commissioner on Human Rights as '*people who, individually or with others, act to promote or protect human rights*'. Human Rights Defenders can be any person, acting alone or in groups, working to promote and protect human rights. Human Rights Defenders are defined by **what they do, not who they are**. They may not identify themselves as human rights activists, and might instead be seen as, amongst other things, artists; lawyers; journalists; politicians; domestic

Issa Amro, a Human Rights Defender in Occupied Palestinian Territories

workers; environmental activists; celebrities; NGO members; indigenous peoples' representatives, members of ethnic or religious groups, small holder farmers trade unionists; writers; health care workers; entrepreneurs; community leaders; students; bloggers or teachers.

In line with the UN Declaration, those who defend human rights should do so peacefully and without violence. Groups or individuals who use or advocate the use of violence are **not** considered Human Rights Defenders, even if their stated aim is to defend the rights of others.

Human Rights Defenders address any human rights concern, crossing the full spectrum of civil, political, economic, social and cultural rights. Human Rights Defenders sometimes focus on the rights of specific persons. These may include women's rights; children's rights; the rights of members of ethnic minorities or indigenous and tribal peoples; or the rights of lesbian, gay, bisexual and transgender (LGBT) persons. Human Rights Defenders are active in every part of the world: in areas of stability or conflict; where democracy exists and where it does not; and in developing, as well as developed economies.

Key challenges Human Rights Defenders face

The work of Human Rights Defenders can be dangerous. The risks they, their communities and their families face include:

- Threats, violent attacks and killings;
- Intimidation and harassment;
- Losing their jobs and livelihoods;
- Slander and defamation;
- Stigmatisation and de-legitimisation;
- Regulatory challenges;
- Criminalisation including imprisonment;
- Forcible exile, disappearances, displacement and statelessness
- Impunity for those who attack Human Rights Defenders.

Human Rights Defenders at particular risk

Human Rights Defenders who are themselves marginalised, and/or who work with marginalised individuals or groups, can experience particular challenges in their work. For example:

Journalists and media workers often come under severe pressure when shining a light on human rights concerns, which often includes supporting the work of other Human Rights Defenders in the marginalised groups below.

Women Human Rights Defenders can face additional discriminations based on their gender and/or the promotion of women's rights. They are at risk of being targets of sexual and gender-based violence, harassment, intimidation and public smearing. They may face a lack of an enabling environment to work freely as well as legal, social, financial, political, economic and cultural barriers to the exercise of their public voice. There are particular risks with the promotion of sexual and reproductive rights and when challenging gender-based discrimination and harmful traditional practices, including child and forced marriage and female genital mutilation. The risks facing Women Human Rights Defenders tend to increase during periods of conflict and fragility when sexual violence or threats of sexual violence may be used as a weapon of war.

Human Rights Defenders working on land and environmental issues are more at risk of attacks, particularly where private companies, sometimes in collaboration with state representatives, wish to hide activities that are illegal or abuse people's rights and are able

Dina Meza, Human Rights Defender in Honduras and Wanjeri Nderu, Human Rights Defender from Kenya join Lord Ahmad on the panel for Human Rights Day 2018

to act with impunity. This includes risks arising from development projects carried out in rural areas or in ancestral lands. Their often-remote rural locations can increase the risks of attacks. They also face risks of eviction and forced displacement and subsequent loss of livelihoods.

LGBT Human Rights Defenders can face multiple threats by the authorities and by non-state actors wishing to obstruct not only their work but also access to public facilities especially in societies deeply rooted in sexual and other discrimination and marginalisation.

Human Rights Defenders from indigenous communities are often at risk of discriminatory attacks, including attacks on their communities and ancestral lands. Those living and working in remote areas are likely to have limited access to support provided to other Human Rights Defenders. The lack of legal recognition for the land rights of indigenous peoples is a major driver for attacks against indigenous Human Rights Defenders. The issues faced by indigenous Human Rights Defenders are intersectional as they are often also working on land and environmental issues.

Human Rights Defenders working on business and human rights risk being targeted by both employers and governments seeking to prevent abuses from being exposed. The UK National Action Plan on Business and Human Rights includes specific commitments to protect Human Rights Defenders who are active on business and human rights related issues.

Human Rights Defenders who are promoting Freedom of Religion or Belief can face significant risks.

Supporting Human Rights Defenders internationally

The UK's approach to Human Rights Defenders is guided by the principle of *do no harm*. We will always seek to consult with Human Rights Defenders or those close to them if their situation prevents them from being contacted, before taking any action.

The UK, through its network of diplomatic posts and government departments, supports Human Rights Defenders and consults Human Rights Defenders on a wide range of thematic issues as appropriate. That support takes many forms and responds to changing needs, but can include:

'Steady state' contact with Human Rights Defenders: UK missions will, as a matter of good practice, maintain regular contact with Human Rights Defenders as appropriate. 'Steady state' contact allows for the exchange of information and the development of mutual relationships of trust, including where possible with Human Rights Defenders living in more remote regions. This support also helps to ensure

- Support Human Rights Defender and civil society organisations to work with the UN, inter-governmental organisations, and other bodies through its observer status or designated representatives. The UK will continue to call for an end to reprisals against Human Rights Defenders who cooperate with the UN.

Emergency help

NGO support: UK missions can help Human Rights Defenders make contact with relevant NGOs. Support may be available from NGOs such as Frontline Defenders, Lifeline, and Peace Brigades International, who can provide practical help and emergency funding. Organisations like Peace Brigades International are also able to offer preventative protection support and capacity building including risk analysis and security strategies.

Contact

For Human Rights Defenders who need to contact UK diplomatic missions, contact details of all UK missions can be found here.

UK pledge

The UK pledges:

- To remain committed to supporting Human Rights Defenders wherever they are in the world;
- To use all routes, bilateral and multilateral, to create stronger global standards to support and protect Human Rights Defenders;
- To consult Human Rights Defenders on projects and policy development where it is appropriate to do so;
- To provide practical in-country support as appropriate, taking into account the local context and the wishes of the Human Rights Defender;
- To publishing this document on local UK mission websites in English and local languages and on the central government website www.gov.uk;
- To disseminate this documents among other government departments;
- To assess, on a regular basis, the **impact of UK activity**, in consultation with UK missions, NGOs and Human Rights Defenders and update this document accordingly.

COURT COPY

Procedural rights of the accused

The right to a fair trial has long been recognised in the courts of England and Wales. This incorporates the fundamental safeguard of the right to be presumed innocent until proven guilty, the burden upon the Crown to prove the ingredients of the offence, and the right to remain silent. It also includes the right to mount a defence and have the assistance of counsel to do so, as well as in the last 60 years, the right to legal aid where the defendant is unable to pay. Equally intrinsic to the justice system is the respect for human dignity. These principles are enshrined in the European Convention on Human Rights and in international human rights law, but drawn heavily from our common law values and safeguards. In order to ensure that a trial is fair in practice, these principles have to be effective, their exercise facilitated by the court, and their importance respected not undermined.

JUSTICE has three key concerns with the dock. These relate to the way in which its use may impact upon the defendant's right to a fair trial: in relation to effective participation in one's defence, preserving the presumption of innocence, and maintaining dignity in the administration of justice.

Effective participation

For a trial to be fair, a defendant should be able to participate in the proceedings in a number of ways. Article 6 of the European Convention on Human Rights[33] (ECHR) requires that the defendant be able to understand the nature of the charge laid against them; be appointed a lawyer; have the benefit of an interpreter; have adequate time to prepare a defence; be able to defend themself; and be able to challenge the prosecution. The European Court of Human Rights (ECtHR or Strasbourg court) considers the principle of equality of arms as one of the features of the wider concept of a fair trial, meaning that each party must be afforded a reasonable opportunity to present his case under conditions that do not place him at a disadvantage vis-à-vis his opponent.[34] The rights in the Convention must be effective in practice.[35]

The use of the dock in criminal trials interferes with the proper enjoyment of these rights. The dock essentially excludes the defendant, placing him or her in a structure which is physically removed from the proceedings. Locking the defendant away in the dock in all courts unfairly distances the defendant from

their legal representatives and prevents them from meaningfully taking part in their own trial. Putting forward a defence is not just about speaking from the witness box, especially since the right to silence affords the defendant the right to choose whether to speak at all. In the adversarial system, the evidence that can be relied upon primarily comes from live witnesses who are led through their evidence at trial. This makes the role of the defendant far more significant than in the civil systems where the dossier of evidence is prepared pre-trial with little witness evidence given during trial. Even then, in the Netherlands, for example, importance is given to the ability of defendants to interact with their legal team throughout the trial process, sitting defendants next to or in front of them.

Communication with legal representatives

The positioning and fortification of the dock in England and Wales makes it very difficult for the defendant to communicate with their lawyer during the trial proceedings. Every legal practitioner in the criminal courts is familiar with the efforts of defendants to communicate from behind the glass at the back of the courtroom. The defendant in the secure dock can only communicate by passing notes via security officers in the dock,[36] knocking on the glass, or gesticulating in an attempt to grasp the attention of their lawyer. It is often the judge who notices that the defendant wants to communicate with their lawyers, and must draw attention to it. This difficulty in communicating has arguably been exacerbated in recent years as legal aid cuts have meant that solicitors or solicitors' clerks are in Crown courts less often and so many defendants no longer have a go-between to pass notes to counsel from the dock.

On a visit to the Old Bailey, JUSTICE staff witnessed this communication challenge; one defendant becoming frustrated to the point where he asked us to get the attention of his solicitor. The barrier created by the dock can lead to delayed or failed communication; an answer may not have been challenged or a different question may have been asked. Defendants are rarely asked their view during trial on what questions should be put to witnesses or on the answers given – the set up prevents this. It is therefore hard to know how often a lack of communication impacts upon the outcome of the trial. In the survey of barristers conducted by Dechert LLP, the majority said it would assist to be able to take instructions throughout proceedings in complex matters, such as fraud.

Recommendations

1. There should be a presumption that all defendants sit in the well of the court, behind or close to their advocate;
2. Open docks should no longer be used and defendants should sit with their legal team;
3. Where security concerns exist, a procedural hearing should be held to satisfy the court that additional security is required;
4. In cases where there is no security risk, defendants should also sit with their legal team;
5. We invite the Lord Chief Justice to consider issuing a practice direction with regard to the above recommendations;
6. We invite HM Courts and Tribunal Service, the Ministry of Justice and other appropriate agencies to explore alternative security measures to the dock, mindful of the need for such measures to be concealed from the judge/jury and comfortable for the defendant; and
7. We invite the Ministry of Justice and other relevant agencies to review prisoner escort custody contracts to ensure that appropriate security can be supplied to the courtroom.

ntroduction

'his briefing is provided in pursuance of the Equality and Human Rights 'ommission's (the Commission's) statutory power under section 11 of ıe Equality Act 2006 to monitor and advise on the effectiveness of quality and human rights law and the likely effect of a proposed change f law.

ı addition, as a UN accredited National Human Rights Institution, the ommission is required to comply with the Paris Principles[1], which clude: 'Advising Government, the Parliament and any other competent dy on specific violations, on issues related to legislation and general mpliance and implementation with international human rights truments'.

s submission sets out the Commission's analysis of the new clause of the Crime and Courts Bill, which was tabled by Lord Dear, cerning police powers to address public behaviour that is deemed to insulting' under section 5 of the Public Order Act 1986 (POA).

New Clause 38

Public order offences

The Public Order Act 1986 is amended as follows.

In section 5(1) (harassment, alarm or distress) for " abusive or insulting" in the ' 35 two places where it occurs substitute "or abusive".

In section 6(4) (mental element: miscellaneous) for ", abusive or insulting" in the two places where it occurs substitute "or abusive".

[1] relating to the Status of National Institutions (The Paris Principles), Adopted by General esolution 48/134 of 20 December 1993.

Summary

As set out in the Home Office's 2011 consultation[2], there is significant and growing evidence that powers under the Public Order Act 1986 (POA), section 5, are being used disproportionately by the police to restrict fundamental rights to freedom of expression, thought, conscience and religion.

To address this problem, the Commission's analysis supports the new clause to remove the word 'insulting' from section 5 POA. This also accords with the view of the Joint Committee on Human Rights[3], amongst others.

Removing the 'insulting' limb of section 5 POA should not hinder the police's ability to tackle identity based crimes, because a number of presently under-used alternative police powers will remain in place. There is a separate question of whether those alternative powers are not being used when they should. This must be monitored to ensure identity based crimes are being effectively identified and tackled.

The recent Commission publication, 'Out in the open, a manifesto for change', makes specific recommendations in respect of tackling disability related harassment. Insulting behaviour and name calling have been identified as common precursors to more serious assaults and incidents.

To help the police comply with equality and human rights duties, the Commission suggests improved guidance is needed to help find the right balance between permitting legitimate free speech (even when it may offend) and taking objective, justifiable action against 'abusive' words or conduct.

'Consultation on police powers to promote and maintain public order', Home Office, October 2011 ttp://www.homeoffice.gov.uk/publications/about-us/consultations/police-powers/consultation-ocument?view=Binary

'Demonstrating respect for rights? A human rights approach to policing protest', Joint Committee on uman Rights, 2009

The Commission's analysis

Freedom of expression

The police officer's task of setting the boundaries between acceptable and unacceptable free speech is always going to be difficult in a society where the objective standards of judgment are necessarily vague, opinions vary and where the public consensus shifts over time. Understanding fundamental principles and values is, therefore, essential in making reasonable, objectively justifiable decisions that comply with human rights and equality duties.

The Commission adopts the approach to free speech taken by Sedley LJ in his judgement in the case of Redmond-Bate v DPP (1999) EWHC Admin 732 concerning misuse of police powers under section 5 of the Public Order Act 1986. In particular, he stated:

> 'Free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative provided it does not tend to provoke violence. Freedom only to speak inoffensively is not worth having.'

The fundamental importance of freedom of expression in countries subscribing to democratic values is such that it should only be clearly restricted for extremely good reasons (as set out in articles 9 and 10 of the Human Rights Act 1998 and the European Convention on Human Rights).

Definition of 'insulting'

There are significant differences between using words and behaviour in public that are intended to abuse (especially, if it based on certain identities or characteristics and/or risks compromising public safety or public order), and using words and behaviour that may have the subjective effect of insulting or offending other members of the public.

Proportionate limitations on the right to free speech, designed to deal with incitement to hatred and violence, and offences that are designed to address aggravating features, such as race, are clearly necessary. In contrast, restrictions on public conduct that simply insults or offends are much less warranted.

Criminalising 'insulting' words or conduct in public must not be at the expense of the fundamental right to free public expression of thoughts

and beliefs, given this is an essential component of democratic societies. The cost of being offended is usually viewed as a price worth paying to uphold free speech, whereas the cost of abuse (judged objectively) is generally held to be too high a price to pay, if it is at the expense of the fundamental rights of others.

Our analysis suggests the use use of section 5 POA police powers under the 'insulting' words or conduct limb can unreasonably deter legitimate freedom of expression. Being arrested, detained, charged or prosecuted for expressing thoughts or beliefs in public is a serious matter.

Case law has made clear that the word 'insulting' should have an ordinary meaning that is readily understood by any 'sensible' person. In practice, this is proving difficult to apply. The evidence highlighted in the government's consultation exercise[4] and elsewhere reveals police officers do face considerable difficulty making objective decisions as to what reasonably amounts to 'insulting' words and behaviour likely to cause 'harassment, alarm or distress' under section 5 POA.

This vague and shifting standard is always likely to result in a very subjective exercise of section 5 POA powers that varies according to the particular police officer and the given situation. Developing consistency in terms of use of this power will continue to be problematic; the problems of interpreting the legislation will remain if changes are not made to the legislation itself.

Role of guidance

Guidance has a role to play in supplementing clearer legislation that can then be used by the police to exercise these powers compatibly with domestic and European human rights obligations. Clearer guidance is required on the importance attached to free speech and what in objective terms does or does not amount to 'abusive words and behaviour likely to cause harassment, alarm or distress'. This will in turn assist in identifying when section 5 POA police powers should be exercised.

Upholding the right to free speech sometimes requires difficult decisions to be made which do affect the dignity and worth of people with particular characteristics or identities, such as those mentioned below.

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[4] 'Consultation on police powers to promote and maintain public order', Home Office, October 2011 http://www.homeoffice.gov.uk/publications/about-us/consultations/police-powers/consultation-document?view=Binary

Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people, Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law, Whereas it is essential to promote the development of friendly relations between nations, Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom, Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms, Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge, Now, therefore, The General Assembly, Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article I

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person

belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

A NATURAL MAN/WOMAN

HABEAS CORPUS

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he

has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each State.

2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.

2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2. Marriage shall be entered into only with the free and full consent of the

intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right to equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in

accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all

SCHOOL DIDNT TEACH NONE OF THIS..... IF I DIDNT DROP OUT I WOULD PROBABLY NOT KNOW ABOUT IT NOW.....

on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or

person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

UK arms exports to Saudi Arabia unlawful, court rules

STAFF WRITER JUNE 20, 2019

A London court on Thursday handed a partial victory to campaigners trying to halt U.K. arms sales to Saudi Arabia over the kingdom's bombing campaign in Yemen.

The Court of Appeal ruling does not immediately halt U.K. arms sales or suspend existing licenses.

But judge Terence Etherton said the U.K. government "must reconsider the matter" and weigh up future risks.

The government had "made no concluded assessments of whether the Saudi-led coalition had committed violations of international humanitarian law in the past, during the Yemen conflict, and made no attempt to do so," Etherton ruled on June 20.

The decision means there is a stay on the granting of export licenses to Saudi Arabia until an assessment is made, Reuters reported.

Prime Minister Theresa May's office said she was "disappointed that the court found against the government on one ground" and would seek an appeal.

Trade minister Liam Fox told parliament the government suspend issuing new Saudi licenses for the sale of arms that might be used in the kingdom's bombing campaign in Yemen.

The U.K.-based Campaign Against Arms Trade non-profit first launched its court battle against the government in December 2015. CAAT was joined by Amnesty International, Human Rights Watch and Rights Watch U.K.

Thursday's judgement came in response to CAAT's appeal of a July 2017 High Court ruling that U.K. arms exports to the Gulf kingdom were "lawful."

Amnesty International said it welcomed Thursday's judgement.

"This is the first time that a U.K. court has acknowledged the risks of continuing to lavish Saudi Arabia with military equipment for use in Yemen. We welcome this judgment as a major step towards preventing further bloodshed," Lucy Claridge, Director of Strategic Litigation at Amnesty International, said in a statement.

The U.K. accounts for 23% of arms imports to Saudi Arabia and last year signed a multi-billion-pound preliminary order with Riyadh for 48 Eurofighter Typhoon fighter jets.

Government figures analyzed by CAAT show that Britain has licensed nearly £5 billion ($6.4 billion, €5.6 billion) in weapons to the kingdom since the Saudi-led campaign began in 2015.

The London court judge stressed that Thursday's decision "does not mean that licenses to export arms to Saudi Arabia must immediately be suspended."

CAAT claimed a "historic" victory that should force the government to suspend military equipment sales to its close Middle East ally.

"This historic judgement means that the government must now stop issuing new arms exports licences, suspend existing licences, and retake all decisions to export arms to Saudi in accordance with the law," CAAT said in a statement posted on its website.

Tens of thousands of people have been killed in the Yemen conflict since the Saudi-led coalition intervention in 2015, relief agencies say, and the fighting has triggered what the United Nations describes as the world's worst humanitarian crisis.

Other European nations have imposed embargoes on arms exports to Saudi Arabia.

In March, Germany extended its ban on weapons sales to Saudi Arabia by another six months. On November 22, Finland said it would not allow new arms export authorizations to Saudi Arabia or the United Arab Emirates over the situation in Yemen, following a decision by Denmark's foreign minister to suspend exports of military equipment to Saudi Arabia due to concerns over the Yemen war and Khashoggi's murder.

On November 9, Norway said it would freeze all defense material export licenses to Saudi Arabia, including those for dual-use items.

But some other countries have stuck by the kingdom rather than use lucrative arms deals. In September, Spain said it will go ahead with the delivery of 400 laser-guided bombs to Saudi Arabia, after earlier saying it would block the sale. The u-turn came amid concerns that cancellation of the deal could have jeopardized a €1.8 billion order of five Corvette warships.

France has also decided to maintain its weapons shipments to Saudi Arabia despite claims the kingdom is using French weapons in the Yemen war.

UK Government issues apology after failing to comply with Court ruling on arms sales to Saudi for use in Yemen

16 September 2019

- **Sec of State for International Trade admits to sale of equipment to Saudi for use in Yemen, despite Court ban**
- **UK has licensed at least £5.3 billion worth of arms to Saudi Arabia since war in Yemen began in March 2015**
- **Saudi regime was in London last week for world's biggest arms fair, at invitation of the UK Government**

The Secretary of State for International Trade has written to MPs on the House of Commons' Committees on Arms Export Controls to confirm that the Government approved two licences for military equipment for use in Yemen. The full letter is here.

In June 2019, the Court of Appeal ruled that the Government acted unlawfully when it licensed the sale of UK-made arms to Saudi forces for use in Yemen without making an assessment as to whether or not past incidents amounted to breaches of International Humanitarian Law. The Government was ordered not to approve any new licences and to retake the decisions on extant licences in a lawful manner.

Since the bombing of Yemen began in March 2015, the UK has licensed £5.3 billion worth of arms to the Saudi regime, including:

- £2.7 billion worth of ML10 licences (Aircraft, helicopters, drones)
- £2.5 billion worth of ML4 licences (Grenades, bombs, missiles, countermeasures)

In reality the figures are likely to be a great deal higher, with most bombs and missiles being licensed via the opaque and secretive Open Licence system.

The Saudi regime was among attendees at the DSEI arms fair in London last week, one of the biggest arms fairs in the world.

Andrew Smith of Campaign Against Arms Trade said:

We are always being told how rigorous and robust UK arms export controls supposedly are, but this shows that nothing could be further from the truth. If the Government cannot be trusted to follow its own rules, or an order from the Court of Appeal, then it must immediately end all arms exports to the Saudi regime and cease all support for this devastating war.

The reality is that, no matter how appalling the crisis in Yemen has become, the Government has always been far more concerned with arms company profits than it has with the rights and lives of Yemeni people. This disregard was on full show last week when the Saudi regime was in London buying weapons at the DSEI arms fair.

Skit 1

[Rev. Jeremiah Wright]

What Malcolm X said when he got silenced by Elijah Mohammed was in fact true

America's chickens, are coming home to roost

We took this country by terror, away from the Sioux, the Apache, the Arowak, the Comanche, the Arapahoe, the Navajo. Terrorism

We took Africans from their country to build our way of ease and kept them enslaved and living in fear

Terrorism

We bombed Granada and killed innocent civilians, babies, non-military personnel

We bombed the black civilian community of Panama with stealth bombers and killed unarmed teenagers and toddlers, pregnant mothers, and hardworking fathers

We bombed Qaddafi's home and killed his child

Blessed are they who bash your children's head against a rock

We bombed Iraq

We killed unarmed civilians trying to make a living

We bombed a plant in Sudan to payback for the attack on our embassy

Killed hundreds of hardworking people

Mothers and fathers who left home to go that day not knowing that they would never get back home

We bombed Hiroshima

We bombed Nagasaki and we nuked far more than the thousands in New York and the Pentagon and we never batted an eye

Kids playing in the playground, mothers picking up children after school, civilians, not soldiers, people just trying to make it day.by day

We have supported state terrorism against the Palestinians and Black South Africans and now we are indignant because the stuff we have done overseas is now brought right back to our own front yards

America's chickens are coming home to roost

Violence begets violence

Hatred begets hatred

And terrorism begets terrorism

"Skit 4"

(feat. Ben Affleck)

[Ben Affleck:]

You know what's interesting about this whole idea of this, this, this intolerance and this hate, and this terrorism thing, I, I noticed from the debate the other, the other day from, it wasn't the debate actually

It was this conversation he had

It was this woman who said to McCain "Obama is an Arab" (right), and he said "No no no m'am he's not an Arab"

Oh I though this is wonderful he's repudiating this kind of intolerance and hatred

He said "No no he's not an Arab, he's a good man" (right) [Laughter]

(He said he's a decent citizen)

Hold on, what if I said to you, what if someone said "I heard he is a Jew" and I said ""No no he's not a Jew, he's alright" [Laughter and Applause]

"I hear the guy's a catholic", "Catholic? No, he's a, good decent guy" (right, yeah)

Arab and good person are not antithetical as to one another (right, that's that was) [Applause]

This idea of, this prejudice that we've allowed to fester in this campaign where this, we've allowed this idea where, denying the fact that Obama, who yet is not an Arab, nor is he a Muslim, we've allowed that denial to turn into the acceptance of both of those things as a legitimate slur, is really a problem, you know what I mean? (But the irony of John Mccain)

These are slurs, these are category human beings, they are not slurs of people [Applause]

"Skit 5"

(feat. Norman Finkelstein)

[Norman Finkelstein:]

Go Ahead

[Woman:]

Hi, um, during your speech, you made a lot of references to Jewish people as well as certain people in your audience, not Jewish people in general, but certain people, especially in your audience, to Nazi's

Now that is extremely offensive when certain people are German, and their also extremely offensive to people who've actually suffered under Nazi rule [Crying]

[Norman Finkelstein:]

I don't respect that anymore
I really don't

I don't like and I don't respect the crocodile tears to con, the crocodile tears [Jeers and Applause]

No, answer folks, erm allow me to finish, and allow me to, allow me to sir

Listen sir, allow me to, allow me to finish

Sir, sir

I don't like to play, I don't like to play before an audience, the holocaust card

But since now I feel I com, Now I feel compelled to. [Shouting]

My late father was in Auschwitz, my late mother, please shut up! [Applause]

My late father was in Auschwitz, my late mother was in Majdanek concentration camp. [Shouting]

Every single member of my family, on my father's side, on my father's side. [Shouting]

(The Jews cannot take odds against the Germans!)

My father was in Auschwitz concentration camp, my late mother was in Majdanek concentration camp

Every single member of my family on both sides was exterminated

Both of my parents were in the Warsaw Ghetto uprising

And it is precisely and exactly because of the lessons my parents taught ME and my two siblings, that I will not be silenced when Israel commits it's crimes against the Palestinians, and I consider nothing more despicable then to use their suffering and their martyrdom to try to justify the torture, the brutalization, the demolition of homes, that Israel daily commits against the Palestinians, so I refuse any longer to be intimidated or browbeaten by the tears

If you had any heart in you, you would be crying for the Palestinians, not for [unaudible]. [Applause]

"Skit 6"

I tried hard to be proud of my service, but all I could feel was shame.

Racism could no longer mask the reality of the occupation.

These were people, these were human beings.

I've since been plagued by guilt, any time I see an elderly man, like the one who couldn't walk, who we rolled onto a stretcher, and told the Iraqi police to take him away.

I feel guilt anytime I see a mother with her children, like the one who cried hysterically, and screamed that we're worse than Saddam, as we forced her from her home.

I feel guilt anytime I see a young girl, like the one I grabbed by the arm, and dragged into the street.

We were told we were fighting terrorists... the real terrorist was me, and the real terrorism was this occupation.

Racism within the military has long been an important tool to justify the destruction and occupation of another country, it has long been used to justify the killing, subjugation and torture of another people.

Racism is a vital weapon employed by this government; it is a more important weapon than a rifle, a tank, a bomber, or a battleship; it is more destructive than an artillery shell, or a bunker buster, or tomahawk missile.

While all those weapons are created and owned by this government, they are harmless without people willing to use them.

Those who send us to war, do not have to pull the trigger, or lob a mortar round; they do not have to fight the war, they merely have to sell the war.

They need a public who's willing to send their soldiers into harm's way.

They need soldiers who are willing to kill and be killed, without question...

They can spend millions on a single bomb, but that bomb only becomes a weapon, when the ranks of the military are willing to follow orders to use it.

They can send every last soldier anywhere on Earth, but there will only be a war, if soldiers are willing to fight.

Hand on your gun

[Intro: Lowkey]

This one is dedicated to the suit-wearing arms dealers

To the champagne-sipping depleted uranium droppers

[Hook]

Keep your hand on your gun

Don't you trust anyone

Keep your hand on your gun

Don't you trust anyone

[Verse 1: Lowkey]

First in my scope is BAE Systems

Specialize in killing people from a distance

Power is a drug and they feed the addiction

Immediate deletion of people's existence

Who says what is and what isn't legitimate resistance

To push these buttons you don't need a brave heart

State of the art darts leave more than your face scarred

You might impress an A&R with your fake bars

'Cause you probably think Rolls Royce only make cars

This is for the colonizers turned bomb-providers

Take this beef all the way back to Oppenheimer

They call it warfare but your wars aren't fair

If they were there'd be suicide bombers in Arms Fairs

Scam for the funds, they will mangle your son

If you try to speak out they will stamp on your tongue

To your land they will come till you stand up as one

It's begun

[Hook]

Keep your hand on your gun

Don't you trust anyone

Keep your hand on your gun

Don't you trust anyone

[Verse 2: Lowkey]

Next in my scope is Lockheed Martin

They will tell you when the bombs need blastin'

Don't think, just listen to the songs, keep dancin'

Do they really want us to have our own brains

Who do you think is really running Guantanamo Bay

And it might be sensitive but I'll mention it

Who do you think has got us filling out the censuses

Who do you think is handing out the sentences

This ain't the BBC so there's no censorship

Heard of many mercenaries gettin' with the clever pimp

Not a gun seller but none's better than Erik Prince

Make money off many things, mainly it's crime

This one is dedicated to the Raytheon 9

Scam for the funds, they will mangle your son

If you try to speak out they will stamp on your tongue

To your land they will come till you stand up as one

It's begun

LOWKEY

"Everything I Am"

[Hook:]

Everything I am, and everything I want to be

I put it in your hands, you could open up to me

Everything I am, and everything I want to be

I put it in your hands, you could open up to me

Oh don't we ever get beyond this wall

[Verse 1:]

I am no role model, I am not Mr. Perfect

Been bitten a couple of times and I did deserve it

Everyday livin' and learnin' through these written verses

My life is a sacrifice, I wonder is it worth it?

People can change, I'm living physical proof

I'm not important, or special or different from you

To other people, I may seem like a good adviser

But to myself I feel like a dirty womanizer

I am just a man, I will never be a celebrity

That is a mantra I will cling to the death of me

Don't wanna feed my kids the very treachery they fed to me

Preferably the aim is equality eventually

Don't relegate me below, or elevate me above to you

Needless to say, in either place I'm uncomfortable

I treat you as an equal, I'm simply a man

Your brother in humanity is everything that I am

[Hook:]

Everything I am, and everything I want to be

I put it in your hands, you could open up to me

Everything I am, and everything I want to be

I put it in your hands, you could open up to me

Oh don't we ever get beyond this wall

[Verse 2:]

Listen close to the words that were sang in the chorus

There's a big difference between fans and supporters

Never asked to be scrutinized or consumerized

Or treated differently to any other human life

Most don't, but some do and it saddens me

Force fed celebrity to subdue our humanity

See the false image depicted and think it's purity

When beneath that image they hold more insecurities

Than you do, but sometimes it's hard to tell who's who

There's more to life than Twitter followers and YouTube views

And if I came across like I was cocky I am sorry

You were born original so please don't die a copy

Don't relegate me below, or elevate me above to you

Needless to say, in either place I'm uncomfortable

I treat you as an equal, I'm simply a man

Your brother in humanity is everything that I am

[Hook:]

Everything I am, and everything I want to be

I put it in your hands, you could open up to me

Everything I am, and everything I want to be

I put it in your hands, you could open up to me

Oh don't we ever get beyond this wall